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BirdLife International Statement to the 20th meeting of the Technical and Compliance Committee (TCC20)

WCPFC-TCC20-2024-OP05
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Submitted by BirdLife International

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September 2024, Pohnpei, Federated States of Micronesia

BirdLife International thanks the WCPFC Secretariat for organising the 20th meeting of the Technical and Compliance Committee and Members for their commitment to sustainably managing WCPFC fisheries and its impacts on ecologically related species.

This is an important year for the Technical and Compliance Committee as it considers the recommendations presented by New Zealand to amend the Conservation and Management Measure (CMM) 2018-03 for addressing seabird bycatch in WCPFC fisheries. These recommendations are based in, what is arguably, the strongest scientific case this Commission has seen on experimental and at-sea testing of effective methods of seabird bycatch mitigation to achieve the obligations adopted by the Commission. We note that there are important practical implications of these recommendations and look forward to discussions to progress this work at the TCC20.

REVIEW OF CMM 2018-03 SEABIRD MEASURE

The 20th Meeting of the Scientific Committee in Manila, New Zealand presented a detailed analysis of the complete body of scientific evidence available on seabird bycatch mitigation measures and their effectiveness. The evidence presented in EB-WP-06 included more than 130 relevant research papers. Along with a suite of supporting analyses that were submitted as information papers to the SC. These analyses are further supported by the scientific review conducted by the Agreement for the Conservation of Albatrosses and Petrels (ACAP), that many Members of the WCPFC are signatories to, who every year to update advice on seabird bycatch mitigation measures. This body of information unequivocally constitutes the best available science and perhaps the most exhaustive, robust, and transparently produced collection of any evidence that has been brought before the Scientific Committee.

In adopting the recommendations put forward by New Zealand on seabird bycatch mitigation, the Scientific Committee in this instance has achieved Article 12, point 1 "*the Scientific committee is established to ensure that the Commission obtains for its consideration the* ***best scientific information available***".

BirdLife International emphasizes Article 10 *Functions of the Commission*, paragraph (c) "*adopt, where necessary, conservation and management measures and recommendations for non-target species and species dependent on or associated with the target stocks,* ***with a view to maintaining or restoring populations of such species above levels at which their reproduction may become seriously threatened".*** Noting paragraph's 143 and 146 of the SC20 outcomes document WCPFC21-2024-SC20-01 that read:

Para 143: "***SC20 noted that at least eight albatross species that breed in New Zealand show significant, long-term, and ongoing population declines, which, for some, are most likely caused by bycatch in commercial pelagic longline fisheries."***

Para 146: "***SC20 noted that studies (SC20-EB-IP-26) suggest that the Antipodean Albatross is at risk of extinction if the current rate of decline continues and is predicted to become extinct around 2070."***

Fisheries bycatch is the key driver of the precipitous declines of these species. Thus the 20th meeting of the Technical and Compliance Committee has an obligation to take this into consideration when discussing recommended amendments to CMM 2018-03.

BirdLife International encourages the TCC20 to consider paper WCPFC-TCC20-2024-OP02 that provides advice on night setting and the issue of straddling sets and the compliance implications associated with such sets on seabird bycatch risk and mitigation. BLI and Humane Society International in this paper emphasize the importance of ensuring the amended CMM for seabirds clarifies the technical and compliance details of night setting and line weighting to ensure effective implementation of mitigation measures.

BirdLife International acknowledge that vessels may require support to implement mitigation measures effectively. We have been working in Ports around the world to support fishers to get seabird mitigation measures right, with incredible success. BirdLife is eager and capable of supporting WCPFC Members to meet their obligations under CMMs related to non-target species bycatch, not only seabirds. We highlight to the TCC20 paper WCPFC-TCC20-2024-OP01, which presents five years of data on our port-based outreach activities in Suva, Fiji to support vessels to implement seabird bycatch mitigation. While there is more work to be done, we are seeing improved knowledge of obligations and technical implementation improving.

MONITORING COMPLIANCE AND REPORTING

BirdLife is pleased to see observer coverage is recovering following several years of low, and in some cases no, observer coverage. However, we again emphasize that low levels of observer coverage undermine the integrity of the WPCFC in demonstrating that Members are fulfilling their obligations. In Tables 1-4 below we have summarised compliance of relevant fleets to the CMM 2018-03 and highlighted non-compliance. It is critical that there is a response to this non-compliance, the TCC20 must adopt corrective actions to ensure their vessels are meeting their obligations under the Convention.

Annual Report on High Seas Boarding and Inspection (HSBI) Scheme:

BirdLife International are pleased to see HSBI frequency has returned to near pre-covid levels, specifically we congratulate Fiji on achieving an inspection rate of >30%.

We are very concerned at the HSBI findings that "***tori lines for Mitigating seabird bycatch were regularly non-compliant and rarely used***" para 23. b). This demonstrates the need for more robust compliance and verification mechanisms for seabird bycatch mitigation measures that vessels are required to employ. While Members reports suggest there is high compliance with tori line use, the HSBI suggests otherwise, as does port-based engagement surveys (WCPFC-TCC20-2024-OP01). Therefore, this misalignment with Members reports and HSBI findings and port-based work needs to be

investigated. Verification can only be addressed by increasing observer coverage on long line vessels, including cameras, and targeted HSBI in areas of high risk to seabirds.

We have repeatedly called for an increase in observer coverage. At 5% - the current observer coverage requirement will not produce the quality or quantity of data necessary to properly manage the fishery and its impacts to non-target species. Indeed, the probability of detecting statistically rare events, such as interactions with seabirds is hampered by ongoing low observer coverage. BirdLife has repeatedly emphasized that there is a divide between Members that demonstrate ability to meet the obligations for seabird bycatch mitigation under CMM 2018-03, and those that do not (Table 1).

BirdLife International once again reiterates the urgent need for increased observer coverage using human observers and electronic monitoring to improve the accuracy and confidence in estimates of seabird bycatch rates in WCPFC fisheries, and ultimately to demonstrate adherence to obligations of the UN Fish Stocks Agreement.

BirdLife INTERNATIONAL | Partnership for nature and people
BirdLife International | Pacific Secretariat
10 McGregor Rd | GPO Box 18332 | Suva | Fiji
Web www.BirdLife.org

Stephanie Borrelle, PhD (she/her)
Marine & Pacific Regional Coordinator
Ko te kaiwhakaahaere ā-Rohe o Te Moananui-ā-Kiwa
Phone +(64)211362531
Email Stephanie.Borrelle@BirdLife.org

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Table 1: Bycatch mitigation compliance in 2018 -2023. Years and areas where the CCM failed to meet the 5% observer coverage, thus where reported interactions with seabirds are unreliable, are highlighted in red. The fishing year 2022 is shaded in green. *Very high bycatch rates (>0.05) and where there was no observer coverage are highlighted in yellow.*

Country	Year	Observed effort (% of total hooks)	Has mitigation use been reported according to area fished?	South of 30˚S (% observed effort using 2/3 mitigation measures)	25˚S – 30˚S (% observed effort using 1/2 mitigation measures)	North of 23˚N (% observed effort using 2/3 mitigation measures)	Total observed birds caught (+ Fisher reported when included)
Australia	2018	11.2 (south of 30° S) 10.2 (30˚S-25˚S) 11.2 (25˚S-23˚N)	No	100		N/A	**14**
	2019	12.1 (south of 30° S) 12 (30˚S-25˚S) 10.9 (25˚S-23˚N)	No	100		N/A	**11 + 101**
	2020	9.8 (south of 30° S) 10.2 (30˚S-25˚S) 9.8 (25˚S-23˚N)	No	100		N/A	**11 + 42**
	2021	9.9 (south of 30° S) 10.2 (30˚S-25˚S) 9.5 (25˚S-23˚N)	No	100		N/A	**10 + 58**
	2022	9.6 (south of 30° S) 10.2 (30˚S-25˚S) 10 (25˚S-23˚N)	No	100		N/A	**10 +71**
	2023	**8.9 (south of 30° S)** **9.4 (30˚S-25˚S)** **9.9 (25˚S-23˚N)**	**No**	**100**		**N/A**	**4 + 49**
China	2018	3.48 (south of 30° S) 4.59 (23˚N-30˚S) 15.15 (north of 23° N)	Mitigation not reported	Unknown	Unknown	Unknown	7
	2019	0 (south of 30° S) 6.3 (23˚N-30˚S) 15.15 (north of 23° N)	Mitigation not reported	Unknown	Unknown	Unknown	6
	2020	8.97 (south of 30° S) 9.19 (23˚N-30˚S)	Yes	100	100	100	6

Country	Year	Observed effort (% of total hooks)	Has mitigation use been reported according to area fished?	South of 30°S (% observed effort using 2/3 mitigation measures)	25°S – 30°S (% observed effort using 1/2 mitigation measures)	North of 23°N (% observed effort using 2/3 mitigation measures)	Total observed birds caught (+ Fisher reported when included)
		0 (north of 23° N)					
	2021	9.42 (south of 30° S) 7.06 (23°N-30°S) 0 (north of 23° N)	Yes	100	100	100	0
	2022	39.33 (south of 30° S) 0 (23°N-30°S) 6.41 (north of 23° N)	Yes	100	100	100	0
	2023	12.94 (south of 30° S) 10.28 (23°N-30°S)	**Yes**	**100**	**100**	**NA**	**23**
Chinese Taipei	2018	3.6 (south of 30° S) 5.1 (30°S-25°S) 6.4 (north of 23° N)	Yes	93.6	100	87.6	14
	2019	6 (south of 30° S) 12.5 (30°S-25°S) 5.3 (25°S-23°N) 2.6 (north of 23° N)	Yes	70	91.1†	87.5	21
	2020	6.5 (south of 30° S) 9.8 (30°S-25°S) 4.7 (25°S-23°N) 5.3 (north of 23° N)	Yes	59.1	100	97	46
	2021	6.3 (south of 30° S) 6.6 (30°S-25°S) 6.9 (25°S-23°N) 5.2 (north of 23° N)	Yes	90	100	98.7	10
	2022	10.7 (south of 30° S) 2.6 (30°S-25°S) 6.5 (25°S-23°N) 5.3 (north of 23° N)	Yes	93.5	100	100	99
	2023	**3.6 (south of 30° S)** **4.4 (30°S-25°S)** **3.9 (25°S-23°N)** **0.5 (north of 23° N)**	**Yes**	**71.3**	**4.4**	**0.5**	**10**

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Country	Year	Observed effort (% of total hooks)	Has mitigation use been reported according to area fished?	South of 30˚S (% observed effort using 2/3 mitigation measures)	25˚S – 30˚S (% observed effort using 1/2 mitigation measures)	North of 23˚N (% observed effort using 2/3 mitigation measures)	Total observed birds caught (+ Fisher reported when included)
Japan* Vessels >20GRT/<20GRT	2018§	2.4 / NA (south of 30° S) 4.0 / 3.1 (30˚S-23˚N) 2.8/ 1.7 (north of 23° N)	No (3.7% compliant across all areas)	Unknown	Unknown	Unknown	160
	2019§	17.9 / NA (south of 30° S) 19.5 / NA (30˚S-25˚S) 4.0 / 3.9 (25˚S-23˚N) 3. 4 / 3.2 (north of 23° N)	Yes	42	6.4	74.8	1665
	2020	5.5 / NA (south of 30° S) 8.5 / NA (30˚S-25˚S) 0 / 0.3 (25˚S-23˚N) 0 / 0.1 (north of 23° N)	Yes	76.4	Unknown	5.2	43
	2021	0 / NA (south of 30° S) 0.4 / NA (30˚S-25˚S) 0 / 0 (25˚S-23˚N) 0 / 0 (north of 23° N)	Yes	Unknown	Unknown	Unknown	Unknown
	2022	0 / NA (south of 30° S) 0 / NA (30˚S-25˚S) 0 / 0 (25˚S-23˚N) 0 / 0 (north of 23° N)	Yes	Unknown	Unknown	Unknown	Unknown
	2023	13.4 / NA (south of 30° S) 14.7 / NA (30˚S-25˚S) 2.8 / 3.4 (25˚S-23˚N) 4.9 / 2.0 (north of 23° N)	**Yes**	**77**	**69.6**	**86.9**	**403**
New Zealand	2018	13.1 (south of 30° S)	Yes	95	N/A	N/A	98
	2019	8.4 (south of 30° S)	Yes	100	N/A	N/A	56
	2020	9.9 (south of 30° S)	Yes	97.8	N/A	N/A	24
	2021	11.7 (south of 30° S)	Yes	93	N/A	N/A	53
	2022	5.4 (south of 30° S)	Yes	93	N/A	N/A	60
	2023	**3.2 (south of 30° S)**	**Yes**	**100**	**N/A**	**N/A**	**19**

Country	Year	Observed effort (% of total hooks)	Has mitigation use been reported according to area fished?	South of 30˚S (% observed effort using 2/3 mitigation measures)	25˚S – 30˚S (% observed effort using 1/2 mitigation measures)	North of 23˚N (% observed effort using 2/3 mitigation measures)	Total observed birds caught (+ Fisher reported when included)
USA*	2018	20.4 (across all areas)	No	N/A	100		249
	2019	21.03 (across all areas)	No	N/A	100		226
	2020	15.87 (across all areas)	No	N/A	100		188
	2021	19.12 (across all areas)	No	N/A	100		184
	2022	21.68 (across all areas)	No	N/A	100		209
	2023						

* Reports effort north of 23° N and 23° N – 30° S areas combined, only reported for Hawai'i fleet.

§ Japan report no mitigation use in the 25˚N – 30˚S area because bycatch mitigation requirements for this area came into force in January 2020 under CMM 2018-03.

Table 2. Effort observed and reported seabird captures in 2018 - 2023 [South of 30˚S]. Entries in red do not meet WCPCF observer coverage requirements for 5% observer coverage or spatial representation. *Very high bycatch rates (>0.05) are highlighted in yellow.*

Country	*Fishing effort*				*Observed seabirds hooked*		
	Year	Number of vessels	Number of hooks ('000s)	% hooks observed	Capture number	Capture rate (birds/1000 hooks)	Raised Mortalities
Australia	2018	37	3084	11.2	8	0.02	71
	2019	33	2537	12.1	8	0.03	66
	2020	30	1721	9.8	9	0.01	9
	2021	30	1890	9.9	7	0.00	8
	2022	31	2071	9.70	3	0.02	31
	2023	**28**	**2338**	**8.9**	**4**	**0.01**	**23**
China	2018	19	5025	3.48	Unknown	Unknown	0
	2019	22	2312	0	Unknown	Unknown	0
	2020	26	3121	9.42	1	0.00	9
	2021	23	6511	8.97	0	0.00	0
	2022	52	2286	39.33	0	0.00	0
	2023	**47**	**572**	**12.94**	**0**	**0.00**	**0**
Chinese Taipei	2018	44	6508	3.6	0	0.00	0
	2019	41	9577	6.0	7	0.01	125
	2020	58	10172	6.5	4	0.01	81
	2021	38	4852	6.3	1	0.00	15
	2022†	21	5394	10.7	3	0.01	27
	2023	**22**	**6061**	**3.6**	**8**	**0.04**	**224**
Japan (vessels > 20 GRT)	2018	27	7003	2.4*	37	0.22	1520
	2019	27	5388	17.9	1140	1.19	6385
	2020	21	3705	5.5	13	0.06	233
	2021	23	4036	0.0	Unknown	Unknown	0
	2022	22	2512	0.0	Unknown	Unknown	0
	2023	**23**	**3725**	**13.4**	**41**	**0.08**	**305**
New Zealand	2018	33	2233	13.1	98	0.34	750
	2019	28	1978	8.4	56	0.34	671
	2020	28	1949	9.9	24	0.12	242
	2021	28	1535	11.7	53	0.30	454
	2022	22	1271	5.4	60	0.87	1107
	2023	**20**	**1591**	**3.2**	**19**	**0.37**	**595**

*Observer coverage may be low due to some data having been removed.

† Preliminary data

Table 3. Fishing effort observed and reported seabird captures 2018- 2023 [between 25˚S - 30˚S]. Entries in red do not meet WCPCF observer coverage requirements for spatial representation. *Very high bycatch rates (>0.05) are highlighted in yellow.*

Country	*Fishing effort*				*Observed seabirds hooked*		
	Year	Number of vessels	Number of hooks ('000s)	% hooks observed	Capture number	Capture rate (birds/1000 hooks)	Raised Mortalities
Australia	2018	27	2917	10.2	5	0.017	50
	2019	26	3264	12.0	3	0.008	26
	2020	22	3990	10.2	2	0.005	20
	2021	21	2607	10.2	1	0.004	10
	2022	22	2583	9.3	6	0.025	65
	2023	**21**	**3386**	**9.4**	**2**	**0.006**	**20**
China*	2018	335	140011	4.59	1	0.00015	21
	2019	339	159311	6.3	6	0.0006	96
	2020	349	152900	7.06	5	0.00046	70
	2021	308	140511	9.19	0	0	0
	2022	263	122494	6.41	0	0	0
	2023	**335**	**86500**	**10.28**	**23**	**0.00259**	**224**
Chinese Taipei	2018	61	11982	5.1	5	0.008	96
	2019	45	6637	12.5	11	0.013	86
	2020	99	15393	9.8	0	0	0
	2021	38	4672	6.6	1	0.003	14
	2022	27	3776	2.6	0	0	0
	2023†	**27**	**3326**	**4.4**	**0**	**0**	**0**
Japan (Vessels > 20GRT)	2018*	154	20655	3.1	7	0.011	227
	2019	9	844	19.5	4	0.0000	0
	2019	9	844	4	4	0.005	4
	2020	14	1563	8.5	0	0	0
	2021	12	938	0	Unknown	Unknown	0
	2022	9	732	0	Unknown	Unknown	0
	2023	**11**	**1009**	**14.7**	**1**	**0.007**	**7**
Japan (Vessels < 20GRT) 23˚N – 25˚S only	2018	-	-	-	-	-	-
	2019	148	20580	3.9	1	0.001	21
	2020	130	16083	0.3	2	0.039	627
	2021	114	18195	0	Unknown	Unknown	0
	2022	124	16567	0	Unknown	Unknown	0
	2023	**114**	**15994**	**3.4**	**3**	**0.006**	**96**

* Combined data for 23˚N – 25˚S and 25˚S – 30˚S

† Preliminary data

Table 4. Fishing effort observed and reported seabird captures in 2018 – 2023 [North of 23˚N]. ***Non-compliant observer coverage rates are in red, and very high bycatch rates (>0.05) are highlighted in yellow.***

Country	*Fishing effort*				*Observed seabirds bycaught*		
	Year	Number of vessels	Number of hooks ('000s)	% of hooks observed	Capture number	Capture rate (birds/1000 hooks)	Raised Mortalities
China	2018	10	779	15.15	6	0.05	39
	2019	9	144	8.33	0	0	0
	2020	10	745	0	0	0	0
	2021	17	959	0	unknown	unknown	0
	2022	9	183	0	unknown	unknown	0
	2023	**0**	**0**	**0**	**0**	**0**	**0**
Chinese Taipei	2018	521	26,173	6.4	5	0.003	79
	2019	603	31,792	2.6	2	0.002	64
	2020	205	28,843	5.3	46	0.03	865
	2021	109	16,724	5.2	59	0.068	1137
	2022	122	18,134	5.3	88	0.092	1668
	2023†	**161**	**23315**	**0.5**	**0**	**0**	**0**
Japan (Vessels > 20GRT)	2018	36	11,842	2.8	61	0.186	2203
	2019	36	11,239	3.4	83	0.223	2506
	2020	42	13,860	0	Unknown	unknown	0
	2021	37	13,297	0	Unknown	unknown	0
	2022	33	11,353	0	Unknown	unknown	0
	2023	**25**	**12,309**	**4.9**	**150**	**0.247**	**3040**
Japan (Vessels < 20GRT)	2018	209	50,681	1.7	55	0.064	3244
	2019	208	49,639	3.2	437	0.278	13800
	2020	216	57,123	0.1	28	0.703	40157
	2021	187	57,659	0	Unknown	unknown	0
	2022	223	50,981	0	Unknown	unknown	0
	2023	**195**	**48353**	**2.0**	**208**	**0.216**	**10444**
USA (Hawai'i only)	2018*	142	54630	20.5	192	0.02	1093
	2019	137	19,732	17.6	166	0.05	987
	2020	131	18,057	19.9	114	0.03	542
	2021	130	17,123	20.6	156	0.04	685
	2022	130	14,025	21.3	184	0.06	842
	2023	135	16669	21.8	70	0.02	333

* Reports effort north of 23° N and 23° N – 30° S areas combined.

† Preliminary data